

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION

APR 15 2009

JOHN F. COOKORAN, CLERK  
BY: *J. Michael*  
DEPUTY CLERK

TURBOMIN AB, ET AL.,

*Plaintiffs,*

v.

BASE-X, INC., ET AL.,

*Defendants.*

CIVIL No. 6:09cv00007

ORDER

JUDGE NORMAN K. MOON

In accordance with the accompanying Memorandum Opinion, the Defendants' Motion to Dismiss [docket no. 10] is hereby GRANTED in part, and DENIED in part. The Motion is granted with respect to Counts II and III, and denied with respect to Count I. Within 14 days of entry of this Order, the Plaintiffs may move this Court for leave to file an amended Complaint to state statutory and common law conspiracy claims. *See* Fed. R. Civ. P. 15(a)(2).

It is so ORDERED.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record.

ENTERED: This 15<sup>th</sup> Day of April, 2009.

*Norman K. Moon*  
NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE